

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION**

**TIMOTHY CORDELL CLARK, #111082**

**PETITIONER**

**VERSUS**

**CIVIL ACTION NO. 5:09-cv-76-DCB-MTP**

**STATE OF MISSISSIPPI**

**RESPONDENT**

**ORDER TO AMEND**

Petitioner, an inmate of the Mississippi Department of Corrections (MDOC), filed a petition for habeas corpus relief pursuant to 28 U.S.C. § 2254. On October 13, 2009, the filing fee was paid for this case. Upon initial review of the petition submitted, the Court finds that more information is needed from the Petitioner. It is, therefore,

ORDERED AND ADJUDGED that on or before November 3, 2009, Petitioner shall file an amended petition to:

(1) name his custodian (Superintendent or Warden at his current place of incarceration) as the proper respondent in this case;

(2) specifically state if he has filed (other than a direct appeal) any petitions, applications, or motions with respect to his conviction and sentence for fondling a child in any court, state or federal, and if so state: (a) the name of the court(s); (b) nature of the proceedings; (c) the grounds raised; (d) whether or not an evidentiary hearing was held; (e) the results; and (f) the date of the results. Petitioner is directed to specifically state if he has filed a motion for relief under the Mississippi Post-Conviction Collateral Relief Act, Miss. Code Ann. §§ 99-39-1 to -29 (Supp. 1996) and if so, Petitioner is directed to provide the above requested information regarding his motion.

IT IS FURTHER ORDERED that the Clerk of Court shall mail a copy of this order to the Petitioner at his last known address.

Petitioner is warned that his failure to timely comply with any Order of this Court or his failure to keep this Court informed of his current address will result in the dismissal of this case.

SO ORDERED, this the 16th day of October, 2009.

s/Michael T. Parker

UNITED STATES MAGISTRATE JUDGE